



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED  
APR 24 2003  
TECH. CENTER 1600/2900  
#13/L  
BP  
4-28-03

In re application of:

HARTLEY *et al.*

Appl. No. 09/648,790

Filed: August 28, 2000

For: **Recombinational Cloning Using  
Nucleic Acids Having  
Recombination Sites**

Confirmation No.: 9852

Art Unit: 1636

Examiner: Sandals, W.

Atty. Docket: 0942.285000C/RWE/BJD

**Amendment And Reply Under 37 C.F.R. § 1.111**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In reply to the Office Action dated October 21, 2002 (PTO Prosecution File Wrapper Paper No. 11), Applicants submit the following Amendment and Remarks. This Amendment is provided in the following format:

- (A) A clean version of each replacement paragraph/section/claim along with clear instructions for entry;
- (B) Starting on a separate page, appropriate remarks and arguments. *See* 37 C.F.R. § 1.121 and MPEP 714; and
- (C) Starting on a separate page, a marked-up version entitled: "Version with markings to show changes made."

It is not believed that extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R.

§ 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 19-0036.

***Amendments***

Please amend the application as follows:

***In the Claims:***

(a) Please amend the pending claims as follows:

Please substitute the following claim 52 for the pending claim 52:

---

52. (Twice Amended) An *in vitro* method of cloning an amplification product comprising:

- C1
- (a) obtaining an amplification product comprising a first recombination site and a second recombination site which do not recombine with each other; and
  - (b) combining said amplification product *in vitro* with a vector comprising a third recombination site and a fourth recombination site which do not recombine with each other, under conditions such that recombination occurs between said first and third and said second and fourth recombination sites, thereby producing a product vector.
- 

Please substitute the following claim 59 for the pending claim 59:

---

59. (Once Amended) The method of claim 52, wherein said amplification product

C2 is linear.